UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/52/10
12 November 1997

Fifty-second session
Agenda item 30

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*without reference to a Main Committee (A/52/L.11)*]

52/10. Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba

The General Assembly,

Determined to encourage strict compliance with the purposes and principles enshrined in the Charter of the United Nations,

Reaffirming, among other principles, the sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation, which are also enshrined in many international legal instruments,

Recalling the statements of the heads of State or Government at the Ibero-American Summits concerning the need to eliminate the unilateral application of economic and trade measures by one State against another that affect the free flow of international trade,

Concerned about the continued promulgation and application by Member States of laws and regulations, such as that promulgated on 12 March 1996 known as the "Helms-Burton Act", the extraterritorial effects of which affect the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the freedom of trade and navigation,

Taking note of declarations and resolutions of different intergovernmental forums, bodies and Governments that express the rejection by the international community and public opinion of the promulgation and application of regulations of the kind referred to above,

Recalling its resolutions 47/19 of 24 November 1992, 48/16 of 3 November 1993, 49/9 of 26 October 1994, 50/10 of 2 November 1995 and 51/17 of 12 November 1996,

Concerned that, since the adoption of its resolutions 47/19, 48/16, 49/9, 50/10 and 51/17, further measures of that nature aimed at strengthening and extending the economic, commercial and financial embargo against Cuba continue to be promulgated and applied, and concerned also about the adverse effects of such measures on the Cuban people and on Cuban nationals living in other countries,

1. *Takes note* of the report of the Secretary-General[1] on the implementation of resolution 51/17;

2. *Reiterates its call* on all States to refrain from promulgating and applying laws and measures of the kind referred to in the preamble to the present resolution in conformity with their obligations under the Charter of the United Nations and international law, which, *inter alia*, reaffirm the freedom of trade and navigation;

3. *Once again urges* States that have and continue to apply such laws and measures to take the necessary steps to repeal or invalidate them as soon as possible in accordance with their legal regime;

4. *Requests* the Secretary-General, in consultation with the appropriate organs and agencies of the United Nations system, to prepare a report on the implementation of the present resolution in the light of the purposes and principles of the Charter and international law and to submit it to the General Assembly at its fifty-third session;

5. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba".

45th plenary meeting
5 November 1997

[1] A/52/342 and Corr.1.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/RES/52/11
24 November 1997

Fifty-second session
Agenda item 14

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*without reference to a Main Committee (A/52/L.13 and Add.1)*]

52/11. Report of the International Atomic Energy Agency

The General Assembly,

Having received the report of the International Atomic Energy Agency to the General Assembly for the year 1996,[1]

Noting the statement of the Director General of the International Atomic Energy Agency of 12 November 1997,[2] in which he provided additional information on the main developments in the activities of the Agency during 1997,

Recognizing the importance of the work of the Agency in promoting the further application of nuclear energy for peaceful purposes as envisaged in the statute of the Agency and in accordance with the inalienable right of States parties to the Treaty on the Non-Proliferation of Nuclear Weapons[3] and other relevant internationally legally binding agreements that have concluded relevant safeguards agreements with the Agency to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II of the Treaty, with other relevant articles and with the objectives and purposes of the Treaty,

---

[1] International Atomic Energy Agency, *The Annual Report for 1996* (Austria, July 1997) (GC(41)/8); transmitted to the members of the General Assembly by a note by the Secretary-General (A/52/285).

[2] See *Official Records of the General Assembly, Fifty-second Session, Plenary Meetings*, 49th meeting, and corrigendum.

[3] United Nations, *Treaty Series*, vol. 729, No. 10485.

Conscious of the importance of the work of the Agency in the implementation of the safeguards provisions of the Treaty on the Non-Proliferation of Nuclear Weapons and other international treaties, conventions and agreements designed to achieve similar objectives, as well as in ensuring, as far as it is able, that the assistance provided by the Agency or at its request or under its supervision or control is not used in such a way as to further any military purpose, as stated in article II of its statute,

Reaffirming that the Agency is the competent authority responsible for verifying and assuring, in accordance with the statute and the safeguards system of the Agency, compliance with its safeguards agreements with States parties undertaken in fulfilment of their obligations under article III, paragraph 1, of the Treaty on the Non-Proliferation of Nuclear Weapons, with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices, and also reaffirming that nothing should be done to undermine the authority of the Agency in this regard and that States parties that have concerns regarding non-compliance with the safeguards agreement of the Treaty by the States parties should direct such concerns, along with supporting evidence and information, to the Agency to consider, investigate, draw conclusions and decide on necessary actions in accordance with its mandate,

Stressing the need for the highest standards of safety in the design and operation of nuclear installations and in peaceful nuclear activities so as to minimize risks to life, health and the environment,

Considering that an expansion of technical cooperation activities relating to the peaceful uses of nuclear energy will contribute to the well-being of the peoples of the world, recognizing the special needs of the developing countries for technical assistance from the Agency and the importance of funding in order to benefit effectively from the transfer and application of nuclear technology for peaceful purposes as well as from the contribution of nuclear energy to their economic development, and desiring that the resources of the Agency for technical cooperation activities be assured, predictable and sufficient to meet the objectives mandated in article II of its statute,

Recognizing the importance of the work of the Agency on nuclear energy, applications of nuclear methods and techniques, nuclear safety, radiological protection and radioactive waste management, including its work directed towards assisting developing countries in all these fields,

Taking note of the report of the Director General to the General Conference of the International Atomic Energy Agency[4] on the implementation of Security Council resolutions relating to Iraq, of his reports to the Security Council of 8 April[5] and 6 October 1997[6] and of resolution GC(41)/RES/23 of 3 October 1997 of the General Conference,[7]

Taking note also of resolutions GOV/2711 of 21 March 1994 and GOV/2742 of 10 June 1994 of the Board of Governors and GC(41)/RES/22 of 3 October 1997 of the General Conference of the International Atomic Energy Agency in connection with the implementation of the Agreement between the Government of the Democratic People's Republic of Korea and the International Atomic Energy Agency for the

---

[4] GC(41)/20.

[5] S/1997/297.

[6] S/1997/779.

[7] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Forty-first Regular Session, 22 September-3 October 1997* (GC(41)/RES/DEC(1997)).

application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons,[8] the statements by the President of the Security Council of 31 March,[9] 30 May[10] and 4 November 1994[11] and the authorization of the Board of Governors, on 11 November 1994, to the Director General, to carry out all the tasks requested of the Agency in the statement by the President of the Security Council of 4 November 1994,

Bearing in mind resolutions GC(41)/RES/10 on the Convention on Nuclear Safety, GC(41)/RES/11 on the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, GC(41)/RES/12 on safety of transport of radioactive materials, GC(41)/RES/13 on the strengthening of the Agency's technical cooperation activities, GC(41)/RES/14 on the plan for producing potable water economically, GC(41)/RES/15 on the extensive use of isotope hydrology for water resources management, GC(41)/RES/16 on strengthening the effectiveness and improving the efficiency of the safeguards system and application of the Model Protocol, GC(41)/RES/18 on the staffing of the Agency's secretariat, GC(41)/RES/20 on the amendment of article VI of the statute concerning, *inter alia*, the size and composition of the membership of the Board of Governors, GC(41)/RES/21 on the international initiative for the Chernobyl sarcophagus and GC(41)/RES/25 on the application of Agency safeguards in the Middle East, adopted on 3 October 1997 by the General Conference of the Agency at its forty-first regular session,

Encouraging the efforts to be made by the forthcoming International Pledging Conference on the Chernobyl Sarcophagus to be held in New York, and noting with interest the forthcoming Special International Meeting on Chernobyl to be held in New York,

Noting the statement by the President of the forty-first regular session of the General Conference of the Agency, issued under item 26 concerning the application of International Atomic Energy Agency Safeguards in the Middle East, that:

> "In the context of the agenda item on the application of International Atomic Energy Agency Safeguards in the Middle East, the General Conference requests the Director General to invite experts from the Middle East and other areas to a technical workshop on safeguards, verification technologies and other related experience, including experience in various regional contexts. It calls on the Director General to commence with the preparation, in consultation and coordination with the parties concerned, with a view to developing an agenda and modalities that would help ensure a successful workshop. Future proposals on workshops in the framework of the above-mentioned agenda item shall be submitted by mutual consent",

Noting also the statement by the President of the forty-first regular session of the General Conference of the Agency, issued under item 20 concerning the composition of regional groups, that:

> "The General Conference at its fortieth session took note of the report of the Director General on the composition of regional groups under the agenda item 'Amendment of article VI of the statute', as contained in the attachment to document GC(40)/11. It reiterated the principle of the sovereign equality of all member States of the Agency, as provided for in article IV.C of the statute. It affirmed that this

---

[8] International Atomic Energy Agency, INFCIRC/403.

[9] *Official Records of the Security Council, Forty-ninth Year, Resolutions and Decisions of the Security Council, 1994*, document S/PRST/1994/13.

[10] Ibid., document S/PRST/1994/28.

[11] Ibid., document S/PRST/1994/64.

principle requires that each member State of the Agency be within one of the areas listed in article VI.A.1 of the statute. Recalling the draft resolution contained in document GC(39)/COM.5/10 of 19 September 1995 and resolution GC(39)/RES/22 of 22 September 1995, the Conference requests that the Chairman of the Board of Governors continue to consult with member States not yet listed in a regional area, as well as with other member States, including representatives of the regional areas, and that he report for consideration of the forty-second General Conference specific proposals to include each member State within the appropriate area at the time of the Conference in September 1998",

Bearing in mind resolution GC(41)/RES/17 of 3 October 1997 on measures against illicit trafficking in nuclear materials and other radioactive sources, recognizing the importance of measures against illicit trafficking of nuclear material, and, in this regard, further recognizing the importance of the programme for preventing and combating illicit trafficking in nuclear material, agreed upon by the participants in the Moscow Nuclear Safety and Security Summit of April 1996 and confirmed by the participants in the Denver Summit of June 1997,

Also bearing in mind resolution GC(41)/RES/19 on women in the secretariat, adopted on 3 October 1997, calling on the Director General to further integrate the Platform for Action adopted at the Fourth World Conference on Women[12] into the relevant policies and programmes of the Agency,

Noting that the present Director General of the International Atomic Energy Agency, Mr. Hans Blix, will retire on 30 November 1997 with the title of "Director General Emeritus of the International Atomic Energy Agency" conferred on him by the General Conference of the Agency and that the General Conference, in resolution GC(41)/RES/3, approved the appointment of Mr. Mohamed ElBaradei as Director General from 1 December 1997,

1. *Takes note* of the report of the International Atomic Energy Agency;[1]

2. *Affirms its confidence* in the role of the Agency in the application of nuclear energy for peaceful purposes;

3. *Welcomes* the measures and decisions taken by the Agency to maintain and strengthen the effectiveness and cost efficiency of the safeguards system in conformity with the statute of the Agency, in particular, stressing the importance of the Model Additional Protocol approved on 15 May 1997, affirms that strengthening the effectiveness and improving the efficiency of the safeguards system with a view to detecting undeclared nuclear activities must be implemented rapidly and universally by all concerned States and other parties in compliance with their respective international commitments, and requests all concerned States and other parties to safeguards agreements to conclude the additional protocols without delay;

4. *Urges* all States to strive for effective and harmonious international cooperation in carrying out the work of the Agency, pursuant to its statute, in promoting the use of nuclear energy and the application of the necessary measures to strengthen further the safety of nuclear installations and to minimize risks to life, health and the environment, in strengthening technical assistance and cooperation for developing countries and in ensuring the effectiveness and efficiency of the safeguards systems of the Agency;

5. *Welcomes* the measures and decisions taken by the Agency to strengthen and fund its technical cooperation activities, which should contribute to achieving sustainable development in developing countries, and calls upon States to cooperate in implementing the measures and decisions pursuant thereto;

---

[12] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

6. *Commends* the Director General and the secretariat of the Agency for their continuing, impartial efforts to implement the safeguards agreement still in force between the Agency and the Democratic People's Republic of Korea, including their efforts to monitor the freeze of specified facilities in the Democratic People's Republic of Korea as requested by the Security Council, expresses concern about the continuing non-compliance of the Democratic People's Republic of Korea with the safeguards agreement, and urges the Democratic People's Republic of Korea to cooperate fully with the Agency in the implementation of the safeguards agreement and to take all steps the Agency may deem necessary to preserve all information relevant to verifying the accuracy and completeness of the initial report of the Democratic People's Republic of Korea on the inventory of nuclear material subject to safeguards until the Democratic People's Republic of Korea comes into full compliance with its safeguards agreement;

7. *Also commends* the Director General of the Agency and his staff for their strenuous efforts to implement Security Council resolutions 687 (1991) of 3 April 1991, 707 (1991) of 15 August 1991, 715 (1991) of 11 October 1991 and 1051 (1996) of 27 March 1996, notes that progress continues to be made in the review of Iraq's full, final and complete declaration and that further progress has been made regarding the content and accuracy of Iraq's six-monthly declarations under the ongoing monitoring and verification plan, notes with concern, however, that Iraq has still not provided the Agency's Action Team with all the information that it has requested, deplores Iraq's obstruction of aircraft used by the Agency in February 1997, calls upon Iraq to cooperate fully with the Action Team in meeting its requests for information and in achieving the complete implementation of the relevant Security Council resolutions and the ongoing monitoring and verification plan, stresses again Iraq's obligation to hand over immediately to the Action Team any nuclear-weapon-related equipment, material and information it may still possess and to allow the Action Team immediate, unconditional and unrestricted rights of access in accordance with Security Council resolution 707 (1991), and stresses that the Action Team will continue to exercise its right under all relevant Security Council resolutions and as regards any further relevant information that may come to light;

8. *Welcomes* the entry into force on 24 October 1996 of the Convention on Nuclear Safety,[13] appeals to all States to become parties to it so that it obtains the widest possible adherence, and expresses its satisfaction that an organizational meeting of the contracting parties will be held from 29 September to 2 October 1998 and that a first review meeting will begin on 12 April 1999;

9. *Also welcomes* the measures taken by the Agency in support of efforts to prevent illicit trafficking in nuclear materials and other radioactive sources and, in this context, calls upon other States to join the programme for preventing and combating illicit trafficking in nuclear materials agreed upon by the participants at the Moscow Nuclear Safety and Security Summit of April 1996 and confirmed at the Denver Summit in June 1997;

10. *Welcomes* the adoption of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management in Vienna on 5 September 1997, and appeals to all States to become parties to the Convention so that it may enter into force as soon as possible;

11. *Also welcomes* the adoption on 12 September 1997 of the Protocol to Amend the Vienna Convention on Civil Liability for Nuclear Damage and the Convention on Supplementary Compensation for Nuclear Damage, and appeals to all States in a position to do so to become parties to the Protocol and to the Convention so that those instruments may enter into force as soon as possible;

---

[13] International Atomic Energy Agency, INFCIRC/449.

12. *Expresses its appreciation* for the sixteen years of distinguished service by Mr. Hans Blix as Director General of the Agency, and extends its best wishes to Mr. Mohamed ElBaradei, the incoming Director General of the Agency;

13. *Requests* the Secretary-General to transmit to the Director General of the Agency the records of the fifty-second session of the General Assembly relating to the activities of the Agency.

49th plenary meeting
12 November 1997